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State Farm Mutual Automobile Insurance
7 *Company*

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

11 ASHLEY WINN;

12 Plaintiff,

13 vs.

14 SHELTER MUTUAL INSURANCE
COMPANY; STATE FARM MUTUAL
15 AUTOMOBILE INSURANCE COMPANY;
and DOES I through X, and ROE Corporations
16 I through X, inclusive,

17 Defendants.

CASE NO.: 2:22-cv-1441-JCM-BNW

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

[SECOND REQUEST]

18
19 Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of
20 record, hereby stipulate and request that this Court extend discovery in the above-captioned case
21 by ninety (90) days, up to and including January 10, 2024. In addition, the parties request that all
22 other future deadlines contemplated by the Discovery Plan and Scheduling Order be extended
23 pursuant to Local Rule. In support of this Stipulation and Request, the parties state as follows:

24 **DISCOVERY COMPLETED**

- 25 1. On November 16, 2022, the parties conducted an initial FRCP 26(f) conference.
26 2. On February 24, 2023, Plaintiff served written discovery on Defendant State
27 Farm. State Farm served its Responses on April 13, 2023.
28 3. On February 24, 2023, Plaintiff served her FRCP 26 Initial Disclosures.

1 4. On January 23, 2023, Defendant State Farm served its FRCP 26 Initial Disclosures.

2 5. On March 2, 2023, Defendant Shelter served its FRCP 26 Initial Disclosures.

3 **DISCOVERY REMAINING**

4 1. The parties will continue participating in written discovery.

5 2. Defendant will collect Plaintiff's medical records.

6 4. Defendant will depose Plaintiff.

7 5. Plaintiff will depose State Farm representatives.

8 6. Plaintiff will depose Defendant State Farm's FRCP 30(b)(6) witness(es).

9 7. Plaintiff will depose Defendant Shelter representatives.

10 8. Plaintiff will depose Defendant Shelter's FRCP 30(b)(6) witness(es).

11 7. The parties may depose any and all other witnesses garnered through discovery,
12 potentially including treatment providers and claims adjusters.

13 8. The parties will designate expert witnesses and may conduct depositions of those
14 expert witnesses.

15 9. Any and all discovery required as permitted by the Federal Rules of Civil
16 Procedure.

17 **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

18 The parties aver, pursuant to Local Rule 26-3, that good cause exists for the following
19 requested extension. This Request for an extension of time is not sought for any improper purpose
20 or other purpose of delay. Rather, the parties seek this extension solely for the purpose of allowing
21 sufficient time to conduct discovery.

22 The parties have been diligent in moving the case forward: participating in a reasonable
23 amount of discovery, including exchanging their initial lists of witnesses and documents;
24 propounding written discovery requests and preparing responses thereto; records procurement; and
25 preparing for Plaintiff's deposition.

26 Plaintiff in this case is incarcerated and has limited availability for a deposition and
27 answering written discovery. Additionally, counsel for Plaintiff have received over 25,000 pages
28 of file materials to evaluate. Further, counsel for Defendant State Farm has undergone a personnel

1 change within the firm that has required he take over cases previously handled by another
2 experienced lawyer.

3 Due to the delays mentioned above, Plaintiff's counsel needs additional time to complete
4 the above depositions of State Farm and Shelter representatives and Defendants' FRCP 30(b)(6)
5 witness, along with additional time to retain a bad faith expert. State Farm's counsel needs
6 additional time to schedule and complete the deposition of adjusters for Shelter Mutual Insurance
7 Company.

8 Lastly Plaintiff has requested an unredacted claims and attorney files, and that Motion
9 practice may be necessary to address related issues. A second meet and confer is set for July 20,
10 2023.

11 Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3 governs
12 modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion
13 to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty
14 one (21) days before the expiration of the subject deadline and must comply fully with LR 26-3.
15 This stipulation is made more than 21 days before the expiration of any deadlines.

16 This is the second request for extension of time in this matter. The parties respectfully
17 submit that the reasons set forth above constitute compelling reasons for the short extension. The
18 deadline to amend pleadings has passed and the parties are not requesting that deadline be
19 reopened.

20 The following is a list of the current discovery deadlines and the parties' proposed
21 extended deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>Thursday, October 12, 2023</i>	<i>Wednesday, January 10, 2024</i>
Expert Disclosure pursuant to FRCP 26 (a)(2)	<i>Monday, August 14, 2023</i>	<i>Monday, November 13, 2023</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>Tuesday, September 12, 2023</i>	<i>Monday, December 11, 2023</i>
Dispositive Motions	<i>Monday, November 13, 2023</i>	<i>Monday, February 12, 2024</i>

Scheduled Event	Current Deadline	Proposed Deadline
Joint Pretrial Order	Tuesday, December 12, 2023	Monday, March 11, 2024 <i>If dispositive motions are pending, then the parties will serve their Joint Pretrial Order within thirty days of the Court's order as to the parties' dispositive motions.</i>

WHEREFORE, the parties respectfully request that this Court extend the discovery period by ninety (90) days from the current deadline of October 12, 2023, up to and including January 10, 2024, and the other dates as outlined in accordance with the table above.

Dated this 19th day of July, 2023.

Dated this 13th day of July, 2023.

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/s/ John B. Greene

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1 *Winn, Ashley v. State Farm Mutual Automobile Insurance Company, et al.*
2 *Case No. 2:22-cv-1441-JCM-BNW*

3 Dated this 13th day of July, 2023.

4 KEATING LAW GROUP

5
6 /s/ John T. Keating

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11 *Attorney for Defendant Shelter Mutual*
12 *Insurance Company*

13 **ORDER**

14 **IT IS SO ORDERED**

15 **DATED:** 4:55 pm, July 20, 2023

16 

17 **BRENDA WEKSLER**

18 **UNITED STATES MAGISTRATE JUDGE**